



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/09/2022
PRESENT

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The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16883 of 2022

1. V.Muthukaruppan
2. Vennilla
3. Veerapathiran
4. Pandimeenal

... Petitioners/Accused Nos.1 to 4

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
Crime No.30 of 2022.

... Respondent/Complainant

For Petitioners : M/s.MURALI KUMAR A,

For Respondent : Mrs.M.AASHA,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

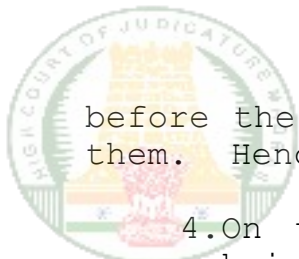
PRAYER :- For Anticipatory Bail in Crime No. 30 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 of I.P.C, in Crime No.30 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant was solemnized on 09.09.2021 and after the marriage, the accused persons harassed the defacto complainant, by way of demanding dowry. Hence, the complaint.

3.On the side of the petitioners, it is stated that the first petitioner is the husband, second and third petitioners are his parents and the fourth petitioner is his sister and she is residing at Dindigul. The defacto complainant, refused to live with the petitioners and left the matrimonial home, whereas, the first petitioner filed a petition for restitution of conjugal rights



before the Sub Court, Devakottai. A false case was foisted on them. Hence, prays to release them on anticipatory bail.

4. On the side of respondent, it is stated that totally four accused involved in the offence. A1 is the husband, A2 is the father-in-law, A3 is the mother-in-law and A4 is the sister-in-law of the defacto complainant. The accused persons demanded dowry of Rs.5 lakhs and harassed her and prayed to dismiss the petition.

5. This matter is a matrimonial dispute between the defacto complainant and her husband/A1. In the FIR, there is a strong allegation against the first petitioner and hence, this Court is not inclined to enlarge the first petitioner/A1 on bail.

6. Considering the fact that petitioners 2 to 4 are in-laws and also considering the age of the second and third petitioners, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 alone.

7. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2 to 4 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Karaikudi, on condition that the petitioners 2 to 4 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 2 to 4 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioners 2 to 4 shall report before the respondent police daily at 10:30 a.m until further orders;

(c) the petitioners 2 to 4 shall not tamper with the evidence or witness either during investigation or trial;

(d) the petitioners 2 to 4 shall be present before the Court on hearing dates and before the respondent police as and when required;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 2 to 4 in accordance with law, as if the conditions have been imposed and the petitioners 2 to 4 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of



(f) if the accused/ petitioners 2 to 4 thereafter a fresh FIR can be registered under Section 229-A IPC.

8. In respect of the first petitioner/A1, this petition is dismissed.

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/10/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.C.SENTHIL MURUGAN, Advocate SR.No.10800

ORDER

IN

CRL OP(MD) No.16883 of 2022
Date :28/09/2022

PNM
SA/VR/SAR. /10.10.2022/3P/6C